

CERTIFICATE OF MAILING (37 CFR 1.10)

"Express Mail" No.: ELS98997754 USDate of Deposit: August 17, 2000

I hereby certify that this transmittal together with the patent application referred to below is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, DC 20231.

Julie K. Lyons, Legal Assistant

Name of Person Mailing Paper

Julie K Lyons

Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner of Patents and Trademarks
Washington, DC 20231

REQUEST FOR FILING A PATENT APPLICATION
UNDER 37 CFR 1.53(b)

Sir:

Applicant(s) hereby request the filing of a ☐ continuation ☒ divisional application under 37 CFR 1.53(b), of the pending prior application identified as follows:

Applicant(s) : MF Gordeev, GW Luehr, DV Patel, Z-J Ni, and E Gordon
Serial No. : 09/235,771
Filed : January 22, 1999
For : Oxazolidinone Combinatorial Libraries, Compositions and Methods of Preparation

Attached is a true copy of the prior complete application as filed including the specification (including claims), drawings, oath or declaration and any amendments referred to in the oath or declaration filed to complete the prior application. No amendments referred to in the oath or declaration filed to complete the prior application introduced new matter therein. The Power of Attorney appears in the Declaration or Oath executed in the prior application as filed and a copy is attached hereto. A new Declaration or Oath is thus not required pursuant to 37 CFR 1.63(d).

The particulars of this request are set forth below:

[X] This paper is being filed under the provisions of 37 CFR 1.10 and contains hereon the required Certificate of Mailing by "Express Mail".

I. AMENDMENTS IN CONNECTION WITH FILING

- A. ☒ Please cancel claims 7-43, 55-100 as they appear in the attached application.
- B. ☐ Please enter the preliminary amendment provided herewith.
- C. ☐ New formal drawings are enclosed.

jc873 U.S. PRO
09/641396
08/17/00

09641396-081700

08/17/00
jc849 U.S. PRO

- D. ☒ Please amend the attached application by providing a new cross reference to related applications before the first line of the specification which reads as follows:

MS
9/17/53
a1

This application is a divisional application of US Patent application Serial No. 09/235,771, filed January 22, 1999, which is a continuation in part of U.S. Patent Application Serial No: 09/086,702, filed May 28, 1998, and which in turn claims the benefit of the following US Patent Application Serial No: 09/012,535, filed January 23, 1998, under 35 USC 119(e)(i).

II. FILING FEES

The filing fee has been calculated as shown below for the claims pending after the claims cancelled in Part I.A.:

	Total No. of Claims	No. of Claims Without Additional Fee	Excess Claims	\$ Rate	Fee
Total Claims Fee	17	20		x 18	0
Independent Claims Fee	4	3	1	x 78	78
Multiple Dependent Claim	0			x 260	0
Basic Fee					690
Total Filing Fee					\$ 768

SPECIFIC DEPOSIT ACCOUNT AUTHORIZATION. Please charge my Deposit Account No. 21-0718 in the amount of the total filing fee above. Triplicate copies of this paper are enclosed.

GENERAL DEPOSIT ACCOUNT AUTHORIZATION. The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or during the pendency of this application or credit any overpayment to Deposit Account No. 21-0718:

- (1) Any additional filing fees or fees for the presentation of additional claims required under 37 CFR 1.16.
- (2) Any patent application processing fees under 37 CFR 1.17.

No authorization is given to charge the Issue Fee (37 CFR 1.18).

III. ADDITIONAL INFORMATION

- A. ☐ Priority of foreign application Serial No. _____ filed on _____ in _____ is claimed under 35 USC 119.

The certified copy has been filed in prior application Serial No. _____, filed _____.

- B. ☐ The prior application is assigned of record to:
- C. ☒ The applicant(s) for the present application are the same as those identified in the above-referenced application.

- D. ☐ In accordance with 37 CFR 1.53(d)(4), the deletion of the following person or persons from the new application is requested as this person or persons are not inventors of the invention being claimed in the new application:
- E. ☐ The current correspondence address of the applicant(s), if different from that set forth in applicant(s) declaration (37 CFR 1.63), is as follows:

The undersigned hereby requests that all correspondence and telephone communications in connection with this application be directed to the undersigned person at the mailing address and telephone number shown below.

Respectfully submitted,

Lucy X. Yang
Lucy X. Yang, Attorney
Registration No. 40,259

Date: 8-17-2000

Pharmacia & Upjohn Company
Global Intellectual Property
301 Henrietta Street
Kalamazoo, Michigan 49001

Telephone No. (616) 833-9536 or (616) 833-9500
Telefax No. (616) 833-8897 or (616) 833-2316

Attachments:

- ☒ Executed Prior Application as Originally Filed
- ☒ Form 53B (in triplicate)
- ☐ Preliminary Amendment
- ☒ Information Disclosure
- ☒ Return postcard

Please type a plus sign (+) inside this box → ☒

PTO/SB/05 (12/97) (modified)
Approve for use through 09/30/00. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE


UTILITY PATENT APPLICATION TRANSMITTAL (Only for new nonprovisional applications under 37 CFR 1.53(b))	Attorney Docket No.	342312000920	Total Pages	230
	First Named Inventor or Application Identifier			
	Mikhail F. GORDEEV, et al.			
	Express Mail Label No.	EL034669908US		

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No.: EL034669908US

Date of Deposit: January 22, 1999

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.


Velinda D. Lillard

APPLICATION ELEMENTS <i>See MPEP chapter 600 concerning utility patent application contents.</i>	ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231																				
<p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (Submit an original, and a duplicate for fee processing)</p> <p>2. <input checked="" type="checkbox"/> Specification [Total Pages <input type="text" value="175"/>] (preferred arrangement set forth below)</p> <ul style="list-style-type: none">- Descriptive title of the Invention- Cross References to Related Applications- Statement Regarding Fed sponsored R & D- Reference to Microfiche Appendix- Background of the Invention- Brief Summary of the Invention- Brief Description of the Drawings (if filed)- Detailed Description- Claim(s)- Abstract of the Disclosure <p>3. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) [Total Sheets <input type="text" value="50"/>]</p> <p>4. <input checked="" type="checkbox"/> Oath or Declaration [Total Pages <input type="text" value="2"/>]</p> <ul style="list-style-type: none">a. <input type="checkbox"/> Newly executed (original or copy)b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d) (for continuation/divisional with Box 17 completed) [Note Box 5 below]i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b) <p>5. <input checked="" type="checkbox"/> Incorporation By Reference (useable if Box 4b is checked) The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.</p>	<p>6. <input type="checkbox"/> Microfiche Computer Program (Appendix)</p> <p>7. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)</p> <ul style="list-style-type: none">a. <input type="checkbox"/> Computer Readable Copyb. <input type="checkbox"/> Paper Copy (identical to computer copy)c. <input type="checkbox"/> Statement verifying identity of above copies <table border="1"><thead><tr><th colspan="2">ACCOMPANYING APPLICATION PARTS</th></tr></thead><tbody><tr><td>8. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))</td><td></td></tr><tr><td>9. <input type="checkbox"/> 37 CFR 3.73(b) Statement</td><td><input type="checkbox"/> Power of Attorney (when there is an assignee)</td></tr><tr><td>10. <input type="checkbox"/> English Translation Document (if applicable)</td><td></td></tr><tr><td>11. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449</td><td><input type="checkbox"/> Copies of IDS Citations</td></tr><tr><td>12. <input type="checkbox"/> Preliminary Amendment</td><td></td></tr><tr><td>13. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)</td><td></td></tr><tr><td>14. <input type="checkbox"/> Small Entity Statement(s)</td><td><input checked="" type="checkbox"/> Statement filed in prior application, Status still proper and desired (copy attached)</td></tr><tr><td>15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)</td><td></td></tr><tr><td>16. <input type="checkbox"/></td><td></td></tr></tbody></table>	ACCOMPANYING APPLICATION PARTS		8. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))		9. <input type="checkbox"/> 37 CFR 3.73(b) Statement	<input type="checkbox"/> Power of Attorney (when there is an assignee)	10. <input type="checkbox"/> English Translation Document (if applicable)		11. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449	<input type="checkbox"/> Copies of IDS Citations	12. <input type="checkbox"/> Preliminary Amendment		13. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)		14. <input type="checkbox"/> Small Entity Statement(s)	<input checked="" type="checkbox"/> Statement filed in prior application, Status still proper and desired (copy attached)	15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)		16. <input type="checkbox"/>	
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16. <input type="checkbox"/>																					
<p>17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:</p> <p><input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input checked="" type="checkbox"/> Continuation-in-part (CIP) of prior application No: 09/012,535, filed 1/23/98 and 09/086,702, Filed 5/28/98</p>																					
<p>18. CORRESPONDENCE ADDRESS</p> <p>Madeline I. Johnston Registration No. 36,174</p> <p>Morrison & Foerster LLP 755 Page Mill Road Palo Alto, California 94304-1018 Telephone: (650) 813-5840 Facsimile: (650) 494-0792</p>																					

- ☒ If a paper is untimely filed ... the above-referenced application by applicant or his/her representative, the Assistant Commissioner is hereby petitioned under 37 C.F.R. § 1.136(a) for the minimum extension of time required to make said paper timely. In the event a petition for extension of time is made under the provisions of this paragraph, the Assistant Commissioner is hereby requested to charge any fee required under 37 C.F.R. § 1.17(a)-(d) to **Deposit Account No. 03-1952**. However, the Assistant Commissioner is NOT authorized to charge the cost of the issue fee to the Deposit Account.

The filing fee has been calculated as follows:

FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
TOTAL CLAIMS	100- 20 =	80	x \$18.00	\$1,440.00
INDEPENDENT CLAIMS	16 - 3 =	13	x \$78.00	\$1,014.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$260.00	\$0.00
			BASIC FEE	\$760.00
		TOTAL OF ABOVE CALCULATIONS =		\$3,214.00
Reduction by 1/2 for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27, 1.28). If applicable, verified statement must be attached.				\$1,607.00
Assignment Recording Fee (if enclosed)				\$
			TOTAL =	\$1,607.00

- ☒ A check in the amount of \$1,607.00 is attached.
- ☐ Charge \$ to **Deposit Account No. 03-1952** referencing docket no. 342312000920.

Applicant(s) hereby petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees or to credit any overpayment to **Deposit Account No. 03-1952** referencing docket no. 342312000920. A duplicate copy of this transmittal is enclosed, for that purpose.

Dated: January 22, 1999

Respectfully submitted,

By:

Madeline Johnston
Madeline I. Johnston
Registration No. 36,174

Morrison & Foerster LLP
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Palo Alto, California 94304-1018
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